

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ING BANK, N.V.,

Plaintiff,

v.

EXPRESS PACIFIC, LLC,

Defendant.

CASE NO. C17-0336-JCC

ORDER

This matter comes before the Court on Plaintiff ING Bank's motion for default judgment (Dkt. No. 10). Defendant Express Pacific was properly served in this matter on March 8, 2017. (Dkt. No. 4; Dkt. No. 6 at 1–2.) Defendant has not voluntarily appeared in this action, and the Clerk has entered an order of default. (Dkt. No. 7.)

“At the default judgment stage, the court presumes all well-pleaded factual allegations related to liability are true.” *Curtis v. Illumination Arts, Inc.*, 33 F. Supp. 3d 1200, 1211 (W.D. Wash. 2014); *see TeleVideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917-18 (9th Cir. 1987). However, factual allegations relating to the amount of damages are not taken as true. *Curtis*, 33 F. Supp. 3d at 1211. A “plaintiff is required to prove all damages sought in the complaint, and the court must ensure that the amount of damages is reasonable and demonstrated by the evidence.” *Id.*

Plaintiff is seeking confirmation and entry of an international arbitration award. (Dkt .No.

1 1 at 1.) Plaintiff's complaint alleges that following an arbitration proceeding in London, England,  
2 the arbitrator ordered Defendant Express Pacific to pay Plaintiff \$2,100,000.00, plus a delayed  
3 payment administration fee of \$3,750.00, plus interest at the rate of 4.5% per annum as of  
4 October 3, 2014. (Dkt. No. 1 at 3.)

5 Taking these allegations as true, the Court finds that they are sufficient to establish  
6 liability. Further, Plaintiff has provided evidence to support the amount of damages. (Dkt. No.  
7 13.)

8 It is hereby ORDERED that:

- 9 1. Plaintiff's motion for default judgment (Dkt. No. 10) is GRANTED.  
10 2. Default judgment is entered in favor of Plaintiff ING Bank, N.V. against Defendant  
11 Express Pacific, LLC.  
12 3. Plaintiff is AWARDED \$2,103,750.00 plus interest at the rate of 4.5% per annum  
13 calculated from October 3, 2014.

14 The Clerk is DIRECTED to close this case.

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16 DATED this 15th day of June, 2017.

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20 John C. Coughenour  
21 UNITED STATES DISTRICT JUDGE  
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